

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

ARIEL A. ADLA
(RE'NAUL M. JOHNSON),
Plaintiff,

VS.

HONORABLE RICHARD
FRANK ALLEN, et al.,
Defendant(s).

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* CIVIL ACTION NO.: 07-0278-KD-M

FILED MAY 5 2007 PM 122 USDC/MS

**PLAINTIFF'S PROPOSED AMENDED/SUPPLEMENTED
COMPLAINT TO ORIGINALLY FILED
42 UNITED STATES CONSTITUTION (U.S.C.) § 1983
CIVIL RIGHTS COMPLAINT**

COMES NOW, Ariel A. Adla (Re'Naul M. Johnson, #166237, the Plaintiff(s), pro se, pursuant to the original 42 U.S.C. §1983 Civil Rights Complaint and Federal Rules Of Court-Federal Rules Of Civil Procedure (Fed. R. Civ. P.), Rule 15(a), and in addition to the original 42 U.S.C. §1983 Civil Right(s) Complaint, as filed within the lawful jurisdiction of this Court, on April 5, 2007, does hereby move and request, for this Court to amend and/or supplement the original 42 U.S.C. §1983 Civil Right(s) Complaint.

JURISDICTION

This court has jurisdiction over the Plaintiff's claims of violation of federal constitutional rights under 42 U.S.C. §§1331(a) and §§1343.

PARTIES

1. **Ariel Aasiya Adla (Re'Naul M. Johnson)**, the **Plaintiff** is an inmate incarcerated, as an inmate within the confined physical care, custody and control of the Alabama Department Of Corrections, at G.K. Fountain Correctional Center, Fountain 3800, Atmore, Alabama, during, the events described within the written content(s) of this civil rights complaint.

2. Jerry Ferrell is a Defendant, for the purpose of this instant said cause of action, is employed, by the State Of Alabama Department Of Corrections, as Head Warden, assigned, at G.K. Fountain Correctional Center, Fountain 3800, Atmore, Alabama 36503-3800. This Defendant, as listed and named within this instant said cause of action is being sued within his individual and official capacities.

GROUND(S)

The Plaintiff, does hereby incorporates ground(s) I, as contained within the written content(s) of the original 42 U.S.C. §1983 Civil Right(s) Complaint, as filed within the lawful jurisdiction of this Honorable Court, in April, 2007, within the ground(s) of this Proposed Amended/Supplemented 42 U.S.C. §1983 Civil Rights Complaint.

SUPPORTING FACT(S)

30. The Plaintiff, does hereby incorporate all supporting fact(s), as contained within the written content(s) of the original 42 U.S.C. §1983 Civil Right(s) Complaint, as filed within the lawful jurisdiction of this Honorable Court,

in April, 2007, paragraph number(s) Eight (#8), through, Twenty-nine (#29), into the supporting fact(s) of this Proposed Amended/Supplemented 42 U.S.C. §1983 Civil Rights Complaint.

31. On February 18, 2004, Jerry Ferrell, Head Warden, G.K. Fountain Correctional Center, Fountain 3800, Atmore, Alabama 36503-3800, within the content(s) of a written affidavit of Warden Ferrell, as submitted to the court, regarding an unrelated matter, Warden Ferrell, stated that, the Plaintiff's, as listed and named within this instant said cause of action medical complaints have centered around the Plaintiff seeking a "sex change" procedure and/or hormone therapy. within the content(s) of Warden Ferrell 's written affidavit, he further stated that, **"as a warden of a male correctional facility and as a taxpayer of the State Of Alabama and this Defendant (he/Warden Ferrell) hopes and prays that medical treatment in that form is denied and will continue to be denied. This Defendant (he/Warden Ferrell) avers that Plaintiff has not been denied other reasonable medical treatment."**

32. Defendant Ferrell had knowledge of the Plaintiff's medical diagnosis, prior to their being an authority published, by the governing authority of the Great Seal, for the State Of Alabama, Alabama Department Of Corrections-Administrative Regulation, #637, **GENDER IDENTITY DISORDER(S).**

33. It is the dutiful responsibility, as pledge under oath, for the State Of Alabama, by Defendant Ferrell, as the head warden of a major institution within the Alabama Department Of Corrections to uphold the Alabama Constitution,

1901; along with the **United States Constitution** and to familiarize himself with any and all regulations, as published, especially, as published during the course of his dutiful position of the head warden of a major institution of the Alabama Department Of Corrections.

34. Defendant Ferrell, at the publication of the Alabama Department Of Corrections-Administrative Regulation, #637, **GENDER IDENTITY DISORDER(S)** subjectively knew or should have know that his conduct, as the Warden of the institution were the Plaintiff was incarcerated, during this occasion that the Plaintiff being denied a constitutionally adequate standard medical care, treatment and therapy, specifically, female hormonal therapy, as received, by the Plaintiff, prior to the Plaintiff's current incarceration within the Alabama Department Of Corrections was cruel and unusual punishment, and thus, unconstitutional, in violation of the Eighth (8th) Amendment, as provided under the governing provision(s) of the United States Constitution.

RELIEF REQUESTED

WHEREFORE, ALL PREMISES BEING HEREBY CONSIDERED,

the Plaintiff, pro se, does hereby request that this Honorable Court grant the following relief:

1. Issue A Declaratory Judgment, stating that, as follows:

(a) From November 16, 2005, through May 26, 2006, **Jerry Ferrell**, employed, by the Alabama Department Of Corrections, as Head Warden, at G.K. Fountain Correctional Center, a listed and named **Defendant**, in his individual and official capacity, while acting under color of state law, for the purpose of this instant said cause of action, thereby deliberately failed to adhere to an established, published and employed administrative directive and/or regulation, specifically, **the Alabama Department Of Corrections-Administrative Regulation, #637, Gender Identity Disorder(s)**, in which, defined a constitutionally accepted adequate standard medical care, treatment and therapy, in regards to the Plaintiff's serious medical, psychiatric and psychological diagnosis of Gender Dysphoria-Transsexual Type, Male-To-Female, and therefore, as a subsequent result of the intentional breach of this Defendant's employed and constitutional duty, the Plaintiff, thereby deprived, the Plaintiff of receiving the Plaintiff's entitled same constitutionally adequate standard medical care, treatment and therapy, as the Plaintiff received, prior to the Plaintiff's current incarceration was cruel and unusual punishment, on behalf of this Defendant, as listed and named, and thus, violated the Eighth (8th) Amendment, as guaranteed and secured, under the governing provision(s) of the United States Constitution.

2. The Plaintiff seeks Compensatory Damages, against, the listed and named Defendant, in the following:

(i) In favor of the Plaintiff, the Plaintiff seeks, for a written judgment to be entered, for **Compensatory Damages**, in the monetary sum of Fifty-Thousand and 00/100's Dollars (\$50,000.00), against, Warden Jerry Ferrell, listed and named, as a Defendant, for the purpose of this instant said cause of action, in his individual capacity.

3. The Plaintiff seeks **Nominal Damages**, against, the listed and named Defendant, in the following:

(a) In favor of the Plaintiff, the Plaintiff seeks, for a written judgment to be entered, for **Nominal Damages**, in the monetary sum of One and 00/100's Dollars (\$1.00), against, Warden **Jerry Ferrell**, as a **Defendant**, listed and named, for the purpose of this instant said cause of action, in his individual and official capacities.

4. The Plaintiff seeks **Punitive Damages**, against, the listed and named Defendant, in the following:

(a) In favor of the Plaintiff, the Plaintiff seeks, for a written judgment to be entered, for **Punitive Damages**, in the monetary sum of One Hundred Thousand and 00/100's Dollars (\$100,000.00), against, Warden Jerry Ferrell, listed and named, as a Defendant, for the purpose of this instant said cause of action, in his individual capacity.

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42 UNITED STATES CONSTITUTION
(U.S.C.) § 1983 CIVIL RIGHTS
AMENDED/SUPPLEMENTED COMPLAINT
OATH OF AFFIRMATION

I DO HEREBY ACKNOWLEDGE AND DECLARE UNDER OATH OF
NOTARY, FOR THE STATE OF ALABAMA, ALSO UNDER THE
PENALTY OF PERJURY, PURSUANT TO 28 U.S.C. §1746 THAT ALL
STATEMENT(S), AS CONTAINED WITHIN THE WRITTEN
CONTENT(S) OF THIS 42 U.S.C. §1983 CIVIL RIGHT(S) COMPLAINT
ARE ALL TRUE AND CORRECT AS STATED THEREIN TO THE
BEST OF MY KNOWLEDGE HEREIN.

Ariel A. Adla
Re'Naul M. Johnson

Ariel A. Adla

(Re'Naul M. Johnson, #166237),
COMPLAINTANT, PRO SE,

5-4-07
Date

STATE OF ALABAMA
COUNTY OF ESCAMBIA

SWORN TO AND SUBSCRIBED BEFORE ME on this 4th day
of May, 2007.


NOTARY PUBLIC

My Commission Expires:

1/12/2011